

Dr. Daniel J. Dooley
Superintendent of Schools

Mrs. Julie Velluzzi
Business Administrator

Ms. Lindsay Reed
Director of Special Services/Preschool



ABSECON
PUBLIC SCHOOLS

800 Irelan Avenue, Absecon NJ 08201
Phone (609) 641-5375 Fax (609) 641-8692

Mr. Kevin Burns, Principal
Emma C. Attales Middle School

Mrs. Leslie Schiavo, Principal
H. Ashton Marsh Elementary School

Mrs. Jessica Waddington
Curriculum Supervisor

November 11, 2025

VIA EMAIL: opra+request-82934-9847841f@requests.opramachine.com>

Taxpayer

RE: OPRA Request dated October 30, 2025

Dear Sir/Madam:

As custodian of records for the Absecon Board of Education ("Board" and/or "District"), I am writing this letter in response to your request for records pursuant to the Open Public Records Act ("OPRA") submitted and received via email on Thursday, October 30, 2025. As such, the seven (7) business day deadline within which the Board is to respond to your request is Wednesday, November 12, 2025.¹

More specifically, the Board responds to your request as set forth below:

"1. Please provide the names of all law firms or attorneys retained by the district to provide legal services."

This request is overly broad in that the request does not identify specific records and seeks information rather than identifiable records. A proper OPRA request must identify with reasonable clarity by specifically describing those documents that are being sought. See Gannett New Jersey Partners L.P. v. County of Middlesex, 379 N.J. Super. 205, 211-12, 877 A.2d 330 (App. Div. 2005); New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 178 (App. Div.), cert. Denied, 190 N.J. 394 (2007); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 40 (App. Div. 2005). Under OPRA, one cannot submit "wholesale requests for general information to be analyzed, collated and compiled by the responding government entity." MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 868 A.2d 1067 (App. Div. 2005). (The Court found a request for "all books, records, [and] documents" related to a specific project to be improper.)

OPRA operates to make identifiable government records "readily accessible for inspection, copying, or examination." N.J.S.A. 47:1A-1; MAG Entertainment, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005). MAG Entertainment, LLC held, "[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." Id. at 547. "Under OPRA, agencies are required to disclose only

¹ The District is closed on Thursday, November 6, 2025 and Friday, November 7, 2025 for the NJEA Convention



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‘identifiable’ government records not otherwise exempt.” *Id.* at 549; *See also Bent v. Stafford Police Dep’t*, 381 N.J. Super. 30, 37 (App. Div. 2005) (holding that OPRA only allows requests for records as contrasted from information, and to qualify under OPRA a request must reasonably identify a record and not generally data, information or statistics). The Board is not required to perform research on behalf of the requestor, only to produce specific records identified by the requestor. Likewise, the Board is not required to create new documents in order to respond to an OPRA request. *See Sussex Commons Assocs., LLC v. Rutgers*, 210 N.J. 531, 544 (2012).

This request is overly broad in that it does not identify with reasonable clarity the specific government records sought and seeks information. Accordingly, this request is invalid pursuant to OPRA and is denied as overbroad.

Notwithstanding the aforementioned denial, the enclosed documents include the requested information.

“2. Please provide copies of the current or most recent contracts, professional-services resolutions, or appointment letters for those legal services.”

Enclosed please find the current retainer agreements between the Board and the law firms retained to provide the Board with legal services. Enclosed please also find the December 17, 2024 and the June 24, 2025 Board meeting minutes which include resolutions approving appointment of the law firms retained to provide legal services to the Board.

As the documents identified above are being provided to you in electronic format only, there is no charge associated with your request. This correspondence, the foregoing information and the enclosed documents constitute the Board’s full and complete response to your OPRA request and therefore, your OPRA request is closed.

Sincerely,

Julie Velluzzi
Business Administrator

